IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION No. 423 /2001.

(WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION ON INDIA FOR ISSUANCE OF WRIT/ ORDER / DIRECTION ETC.)

PETITIONER: KESHAR SINGH S/O LATE LAL SINGH
aged about 26 years,
Partner- M/s Paramount Traders,
R/O Village- Bawaria Kala,
Distt. Bhopal (MP).

.//Versus//

RESPONDENTS:

1. STATE OF CHHATTISGARH,
Through Secretary,
Commercial Tax Department
(Excise), Govt. of
Chhattisgarh.

2. THE COMMISSIONER (EXCISE)
Government of Chhattisgarh
RAIPUR.

3. THE COLLECTOR(EXCISE)
Rajnandgaon Distt.
Rajnandgaon.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION ON INDIA FOR ISSUANCE OF WRIT/ ORDER / DIRECTION ETC.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

~~मामला क्रमांक~~ WP 423 ~~सन्~~ 2001

Keshav Singh विरुद्ध State of Chh.

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
28.3.01	Shri Alok Aradhe learned counsel for the petitioner. Shri N.K.Shukla, Dy,A.G. for the State/respondents. Heard. The matter concerns sale of liquor shops. There are four groups. The petitioner contested in an oral bid and the bid amount of the writ petitioner was Rs.7,60,00,000/- which was the highest. The authority was not satisfied and sealed tenders were called. In the sealed tenders also the bid of the writ petitioner was the highest inasmuch as the petitioner has offered Rs.8,21,11,000/-. The competent authority ~~has is~~ has again rescheduled to have ~~to put the~~ auction tomorrow i.e. 29.3.2001. It may be stated that within a period of fifteen days, in the instant case from 22nd of March 2001, the competent authority is entitled to take a final decision in the	PR 514/01 Petition of ...Ld. Presented on...2 with ..... by Shri M.N.Rao it be checked fixed ...C.A.:28.3... The petition checked it is drawn-up, duly stamped, necessary documents. It is laid before a Judge/Judges ~~Ld. record of the Lower C~~

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

matter. Shri Aradhe, learned counsel for the petitioner, submits that in the next auction if there is any bidder who bids higher than the amount of Rs.8,21,11,000/- he has no further claim and the competent authority may finalise the contract with such higher bidder. Another prayer/has been made is that the auction in respect of group-4 may be knocked down first so that in the event of the writ petitioner being not able to succeed in Group-4 he may have an opportunity to contest in the remaining groups. Though it is correct to say that to accept the highest bid would benefit the State financially, I am afraid to give any specific direction as to which bid or auction should be first knocked down which may not be proper. Hence I am not inclined to issue a specific direction. However, I am of the view that in such transaction the State would be interested to earn more money and, therefore, would certainly go for the highest bid. Mr. Aradhe states that since the bid of the writ petitioner is the highest at the moment, if no more higher bid is available in the re-auction the bid of the writ petitioner should be accepted. I am of the view that the highest bid should be accepted. Though I am not inclined to issue a

GRPRJ—FS/311—1/2001—50,000.

XI-HC-22

उच्च न्यायालय, मध्यप्रदेश, जबलपुर

(19)

आदेश पत्रक

मामला क्रमांक ..... सन् 199

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	direction, I am of the view that the petitioner should be at liberty to request the competent authority that the bid in respect of Group-4 may be knocked down first, and it is for the competent authority to examine and decide as it deems fit in the interest of the State exchequer. The petition is disposed of. C.C. today Sd/- Chief Justice	